

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RHETA CHAMBERLAIN,  
Plaintiff,

v.

FEDERAL BUREAU OF INVESTIGATION,  
Defendants.

3:09-CV-100-RCJ(VPC)

**ORDER**

Before the Court is Plaintiff's Petitioner's Answer to Magistrate Judge's Recommendation [sic] (#3) filed on March 31, 2009. This action was referred to U.S. Magistrate Judge Valerie P. Cooke pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4. The Magistrate Judge submitted her Report and Recommendation (#2) on March 24, 2009, recommending that this Court enter an order denying Plaintiff's Application to proceed *in forma pauperis* and *pro se* Complaint (#1) and dismiss this action with prejudice as frivolous, pursuant to 28 U.S.C. § 1915(E)(2)(b)(i).

**I. ANALYSIS**

**A. Review of Magistrate Judge's Order**

Pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 3-2, a party may file specific written objections to the findings and recommendations of a magistrate judge made pursuant to LR IB 1-4. The district court must make a *de novo* determination of those portions of the magistrate judge's report to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. LR IB 3-2(b). *De novo* review means the court must consider the matter anew, the same as if it had

1 not been heard before and as if no decision previously had been rendered. Ness v.  
2 Commissioner, 954 F.2d 1495, 1497 (9th Cir. 1992). Thus, although the district court need  
3 not hold a de novo hearing, the court's obligation is to arrive at its own independent  
4 conclusion about those portions of the magistrate judge's findings or recommendation to which  
5 objections are made. United States v. Remsing, 874 F.2d 614, 617 (9th Cir. 1989).

6 After conducting a *de novo* review of the record, the Court accepts and adopts the  
7 Magistrate Judge's Minutes of the Court (#2).

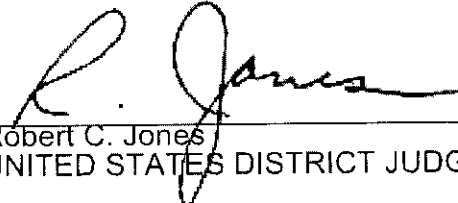
### 8 III. CONCLUSION

9 IT IS HEREBY ORDERED that Plaintiff's Application to proceed *in forma pauperis* and  
10 *pro se* Complaint (#1) and Plaintiff's Petitioner's Answer to Magistrate Judge's  
11 Recommendation [sic] (#3) are DENIED.

12 IT IS FURTHER ORDERED that this case is DISMISSED with prejudice. The Clerk of  
13 the Court shall enter judgment accordingly.

14 IT IS SO ORDERED.

15 DATED: This 3 day of November, 2009.

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18 Robert C. Jones  
19 UNITED STATES DISTRICT JUDGE  
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